

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

KENNETH D. DILLEY, ) 4:08CV3005  
                        )  
Plaintiff,           )  
                        )  
vs.                   )  
                        ) **MEMORANDUM**  
UNITED STATES OF AMERICA, ) **AND ORDER**  
                        )  
Defendant.           )

Counsel have advised me that Mark E. Mailliard, M.D. may be a witness in this case. Dr. Mailliard is my brother-in-law. Accordingly, a reasonable person might question my objectivity. Indeed, I question my objectivity.<sup>1</sup> Therefore,

IT IS ORDERED that I recuse myself from this case and request Chief Judge Bataillon to reassign it.

November 6, 2008.

BY THE COURT:

s/ *Richard G. Kopf*  
United States District Judge

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<sup>1</sup>I am presently looking after Dr. Mailliard's loveable but rotund dog, Pita.